



Entered on Docket
February 07, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

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USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY) Chapter 11
Debtor)

In re:) BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
Debtor)

In re:) BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) Chapter 11
Debtor)

In re:) BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
Debtor.)

In re:) BK-S-06-10729-LBR
USA SECURITIES, LLC,) Chapter 11
Debtor.)

Affects)
☐ All Debtors)
☐ USA Commercial Mortgage Co.) Date: January 31, 2007
☐ USA Securities, LLC) Time: 9:30 a.m.
☐ USA Capital Realty Advisors, LLC)
☐ USA Capital Diversified Trust Deed)
☒ USA Capital First Trust Deed Fund, LLC)

**ORDER RE OBJECTION OF THE OFFICIAL COMMITTEE OF EQUITY SECURITY
HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC TO PROOF OF CLAIM
FILED BY STANDARD PROPERTY DEVELOPMENT, LLC (CLAIM #120) (AFFECTS USA
CAPITAL FIRST TRUST DEED FUND, LLC)**

The Court having considered the Objection of the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Proof of Claim Filed by Standard Property Development, LLC (Claim #120) (Affects USA Capital First Trust Deed Fund, LLC) (the "Objection")(Docket No. 2293); and Standard Property Development, LLC's Response and Opposition to the Objection of the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Proof of Claim Filed by Standard Property Development, LLC (Claim No. 120) (the "Opposition")(Docket No. 2547); Candace C. Carlyon, Esq. of the law firm of Shea & Carlyon, Ltd. appearing on behalf of the Movant; Andrew M Brumby, Esq. of the law firm of Shutts & Bowen, LLP, appearing on behalf of Standard Property Development, LLC ("Standard"); any other appearances having been noted in open court; the Court having considered the pleadings, papers and records on file in this action; and Standard having requested that the Court consider the document previously filed with the Court which were not attached to or linked to the Opposition (the "Prior Filings"); and good cause appearing:

IT IS HEREBY ORDERED that the hearing on the Objection is continued to **February 15, 2007 at 9:30 a.m.**

IT IS FURTHER ORDERED that Standard shall supplement its Opposition to attach the Prior Filings on or before **February 7, 2007**.

IT IS FURTHER ORDERED that the FTDF Committee shall file any response on or before **February 13, 2007**.

1 IT IS FURTHER ORDERED that the maximum holdback to be reserved against the
2 Standard Property Claim is \$671,000.00.
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5 SUBMITTED BY:

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RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:
- ☒ approved the form of this order;
- ☐ waived signature in open court; and/or
- ☐ failed to file and serve papers in accordance with LR 9021(c).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the order:
- ☐ No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED this 6 day of February, 2007.

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